



City of Gahanna

Meeting Minutes

Planning Commission

200 South Hamilton Road
Gahanna, Ohio 43230

John Hicks, Chair
Michael Suriano, Vice Chair
Bobbie Burba
Michael Greenberg
Thomas Shapaka
Michael Tamarkin
Thomas J. Wester

Krystal Gonchar, Deputy Clerk of Council

Wednesday, September 25, 2019

7:00 PM

City Hall, Council Chambers

A. CALL MEETING TO ORDER/PLEDGE OF ALLEGIANCE/ROLL CALL

Gahanna Planning Commission met in Regular Session in the Council Chambers of City Hall, 200 South Hamilton Road, Gahanna, Ohio, on Wednesday, September 25, 2019. The agenda for this meeting was published on September 20, 2019. Chair John Hicks called the meeting to order at 7:00 p.m. with the Pledge of Allegiance led by Burba.

Present 5 - Thom Shapaka, Thomas J. Wester, John Hicks, Bobbie Burba, and Michael Tamarkin

Absent 2 - Michael Suriano, and Michael Greenberg

B. ADDITIONS OR CORRECTIONS TO THE AGENDA: None.

C. APPROVAL OF MINUTES

[2019-0134](#)

Planning Commission Meeting Minutes for September 11, 2019.

A motion was made by Wester, seconded by Burba, that the Minutes be Approved. The motion carried by the following vote:

Yes: 5 - Shapaka, Wester, Hicks, Burba and Tamarkin

Absent: 2 - Suriano and Greenberg

D. SWEAR IN APPLICANTS & SPEAKERS

Assistant City Attorney Kristin Rosan administered an oath to those persons wishing to present testimony this evening.

E. APPLICATIONS - PUBLIC COMMENT**Eastgate Commercial Park- 6579 Taylor Rd.**

- a. [FDP-0006-2019](#) To consider a Final Development Plan for Eastgate Commercial Park; for property located at 6579 Taylor Rd.; Parcel ID No. 027-000008-00; current zoning Office, Commerce & Technology (OCT); Robert LeVeck, applicant.

Interim Director of Planning & Development, Michael Blackford, provided a summary of each of the Eastgate Commercial Park applications; showed site plan, zoning, reviewed criteria for granting a Final Development Plan, Variance, Design Review; stated that the parcel is over 30 acres, but the project will be on 7 acres at the southeast corner; to the south of the parcel is land owned by Jefferson Water & Sewer District, who sent a letter last week; to the south of Jefferson Twp. is the Niagara bottling facility; this is for a flex space building; ample parking; the proposed use is allowable by right as part of the OCT district; this type of space is highly desirable and most needed space in the city; is located within a tax abated area; applicant requested a tax abatement and that will go to council in the near future; the city would get a nice financial return out of this project; there are more requirements in this district than others, so the review was more lengthy for staff; reviewed materials in the application package; applicant says parking setback variance is necessary due to right of way restrictions; lighting variance request is standard and frequent; may need to look at changing code for these things due to the frequency; it is difficult to have necessary lighting for security without a variance; staff does not object to those variances; the third variance, for sidewalks, staff is not in favor of; the applicant wants to defer building the sidewalk until other sidewalks are put in around the property; we have allowed for a delay in constructing sidewalks on two other occasions for other applicants; one was on Blatt Blvd. and one on Taylor Rd.; the zoning code now requires sidewalks; we don't endorse these variances because they are hard to enforce; there's no mechanism in place for tracking these conditions; a precedent has been set but the city wants to see sidewalks constructed and they have to start somewhere; must look at special circumstances as part of granting variances and staff does not feel there are any in this case; there are more requirements for landscape in OCT districts; the design review meets those standards.

Chair opened the public hearing at 7:16 p.m.

Applicant, Robert LeVeck, stated that regarding sidewalks, there are none currently in this area; the sidewalk won't connect anywhere to the south since that is township land; would agree to build one if the township does.

Susan Thompson, 845 Hawks Crest Ln., Blacklick; Hawks Crest development is the closest housing development to the project; spoke with LeVeck prior to the meeting and he addressed concerns about lighting; was concerned about bright lights, but the lights will be on the buildings

themselves; appears that the county has zoned this property as agricultural; asked does the city zoning code override the county; concerned about traffic; currently when leaving and entering the development during peak traffic, it is nearly impossible; are there any plans to put in a traffic light; no one in Hawks Crest received a contiguous property owner notice; would like to be notified in the future of movement on this project; asked if it is possible to be notified.

Hicks thanked Ms. Thompson for coming out tonight to speak; asked LeVeck to comment on her items.

LeVeck noted that he addressed her concerns about lighting; half a foot candles are too low; explained the spillover outside of the parking lot is very low; not lighting up the adjacent fields.

Hicks said for zoning, the Junkermann estate bequeathed land to the city, asked if this land is part of that. Blackford said there were restrictions on that land; recalls that the city did not want that land; this is not part of that land. Hicks said the auditor lists the land as agricultural for tax purposes. Blackford stated that the city designation of OCT overrides the county designation; said the Land Use Plan vision is in line with the current zoning. Hicks asked if he anticipated using that land for agriculture. Blackford said no.

Hicks asked if this type of development would require a traffic study. LeVeck said not in his experience; this is largely for warehouse use; despite having 30-40 employees, there are not visits by customers or clients.

Wester said the city has been without an engineer for a few months; the current engineer has only been with the city for a few weeks; is concerned about what will happen at the next intersection; would like to see a traffic study; would like to see multiple intersections reviewed, not just one directly in front of the facility; there is a proposed road shown; asked if the access is fixed or is it subject to change. Hicks said those questions can be addressed next, would like the clerk to discuss notification requirements. Gonchar stated that we are required to notify contiguous property owners; said that if Ms. Thompson would provide her email address, she would be notified when agendas are sent out for Planning Commission and could follow the agenda to review applications. Hicks asked Thompson if her questions had been addressed. Thompson confirmed.

Shapaka said regarding the comments; the engineer stated there would not need to be a traffic impact study, so that was addressed.

Chair closed the public hearing at 7:28 p.m.

Wester said his questions are related to the variance request; over the last 20 years, the area has seen tremendous growth; back when Rickenbacker started to grow, they experienced some issues; during that same period of time, residents started looking at the need for bike lanes; "complete streets" terminology become popular, and addressed mobility concerns; now a lot of sidewalks are prohibited for bike riders; we have more bike paths now; as Rickenbacker grew, they could not get people there to fill jobs; they are an

economic model for logistic parks; there was no transit to get to work there; once COTA took people to the facility, the problem then became, how do people get around the complex; the Eastgate Commercial Park could experience something similar; there are no sidewalks; people don't want to walk a half a mile in the mud and dirt to get to work; the city passed legislation requiring sidewalks as part of development; can't support a variance for this; people want accessibility; someone needs to start first.

Chair called for other questions from the commission. Shapaka said to Blackford, it seems that once you reach 60% frontage then everyone must put in a sidewalk; asked if this would cascade getting that done; are all developments delayed in putting in sidewalks until someone starts putting them in. Blackford said the vast majority of the developed projects were done before there was a code requirement; at some point when the city redoes the roads there, then sidewalks will go in. Shapaka asked regarding this current variance, if the developer must put in sidewalks when the city makes it a priority. Blackford said in this case, there's a large piece of undeveloped land so when the city or other developers come in, that's when the applicant would like to put in sidewalks.

Burba asked if the applicant was aware of the condition when making plans for the project. LeVeck confirmed that he was aware. Burba asked why he thought the commission would make an exception. LeVeck said due to the fact that the only people who would use the sidewalk would be the people on the land; the township has no plans to construct sidewalks to the south; the sidewalk would not tie into any sidewalk system. Burba said it seems like it would be cheaper to construct the sidewalk now when there's other construction going on; cannot support the variance; we have made exceptions for people and then they don't follow through.

Shapaka said for access road to the south, is that going to be built on the back end of the building; is that a dead end. LeVeck said that is for the future; is meant to access land to the west from Eastgate. Shapaka said you need access to entire building for fire code; but does not see a note on that; asked if there was a consideration to eliminate one of the curb cuts. LeVeck said yes, but with further discussions with civil engineer, there is a slope on the property and the northern curb cut would have a slope greater than 8% which is not conducive to traffic so it will be eliminated altogether.

Hicks asked about the footprint; the parcel is 36 acres and this plan covers 7 acres; asked if there was a plan to split the parcel. LeVeck said yes. Hicks asked if the decision made today applies to the entire parcel and should we be concerned about it. Rosan said this would apply to the entire parcel, but if the applicant wanted to add a building or make amendments, then they would have to come back to Planning Commission. Blackford said the subdivision without plat would be administratively approved in this case and would not come before planning. Hicks asked if there is a lot split, the owner would not own that segregated parcel. Rosan said the split off piece would no longer be a part of this application at that point. Hicks asked why the sidewalk would not lap around the entire parcel. Blackford said the entire parcel is not subject to this request; must look at footprint of the Final Development Plan; also the

address will change in the future.

Tamarkin asked if LeVeck is in control of all 30+ acres. LeVeck said no, just in contract with this portion. Tamarkin said sidewalks need to be added; is a bad precedent to kick the can down the road; should be part of the overall development when you are already pouring concrete for curb cuts, etc.; is aesthetically pleasing and the employees may still use them.

A motion was made by Tamarkin, seconded by Shapaka, that the Final Development Plan be Approved.

Discussion on the motion: Wester said he is not in support because the city engineer needs to review the traffic; the letter was submitted prior to the engineer being hired; concerned about the traffic and roads in that area.

The motion carried by the following vote:

Yes: 4 - Shapaka, Hicks, Burba and Tamarkin

No: 1 - Wester

Absent: 2 - Suriano and Greenberg

b. [V-0013-2019](#)

To consider a Variance application to vary sections 1155.04(c)(1)(A)- Parking Setback and 1163.06(a)- Lighting, of the Codified Ordinances of the City of Gahanna; for property located at 6579 Taylor Rd.; Parcel ID No. 027-000008-00; current zoning Office, Commerce & Technology (OCT); Robert LeVeck, applicant.

See discussion above, under file FDP-0006-2019.

A motion was made by Burba, seconded by Tamarkin, that the Variance be Approved. The motion carried by the following vote:

Yes: 4 - Shapaka, Wester, Hicks and Tamarkin

No: 1 - Burba

Absent: 2 - Suriano and Greenberg

c. [DR-0016-2019](#)

To consider a Design Review application for a Site Plan, Landscaping Plan, and Building Design for Eastgate Commercial Park; for property located at 6579 Taylor Rd.; Parcel ID No. 027-000008-00; current zoning Office, Commerce & Technology (OCT); Robert LeVeck, applicant.

See discussion above, under file FDP-0006-2019.

A motion was made by Shapaka, seconded by Wester, that the Design Review be Approved. The motion carried by the following vote:

Yes: 5 - Shapaka, Wester, Hicks, Burba and Tamarkin

Absent: 2 - Suriano and Greenberg

Variance Requiring Council Action:

- d. [V-0014-2019](#) To consider a Variance application to vary sections 1108.01(f) & 1107.01(d) - Sidewalks, of the Codified Ordinances of the City of Gahanna, to allow for a delay in constructing a sidewalk; for property located at 6579 Taylor Rd.; Parcel ID No. 027-000008-00; current zoning Office, Commerce & Technology; Robert LeVeck ,applicant.

See discussion above, under file FDP-0006-2019.

A motion was made by Wester, seconded by Burba, that the Variance be Recommended to Council for Approval. The motion failed by the following vote:

Yes: 2 - Shapaka and Hicks

No: 3 - Wester, Burba and Tamarkin

Absent: 2 - Suriano and Greenberg

F. UNFINISHED BUSINESS: None.

G. NEW BUSINESS: None.

H. OFFICIAL REPORTS

Assistant City Attorney

No report.

City Engineer

Not present.

Planning & Development

Blackford said the Land Use Plan was adopted by Council, thanked everyone for their support; at the upcoming Area Commission Meeting, there will be a discussion for a project along Morse Rd., near the Christopher Wren Apartments; there is an interest in a re-zoning and conditional use for a self-storage facility.

Council Liaison

Burba said there has been a lot of concern from residents regarding the

new apartments proposed at Creekside.

CIC Liaison

Hicks said the CIC met last Tuesday; there's a need to find a replacement secretary; some officers have left; also discussed the viability of the Groundhog Day event due to funding and attendance; the CIC reps would be happy to hear concerns. Burba said she thought it was successful. Hicks said the profit is lean, again, attendance is low.

Chair

No report.

I. CORRESPONDENCE AND ACTIONS: None.

J. POLL MEMBERS FOR COMMENT

Wester asked Blackford, since the variance was denied, does that trigger the construction of sidewalks for the other two developments that were mentioned, or does that have to be contiguous. Blackford asked him to elaborate. Wester said he remembers having one of the developments delay constructing sidewalks. Blackford said the one on Blatt Blvd. requires construction as soon as a sidewalk is started anywhere on the road; the other property was different, would begin sidewalk construction when an adjacent development added one.

Tamarkin said it would not make sense to have a traffic study done for this development, but perhaps down the road adding a traffic light may be necessary.

K. ADJOURNMENT

By Wester at 7:54 p.m.